



6p/2122 \$47
DAC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

KIM A. ANDERSON ET AL.

Serial No. 09/995,257

Filing Date: **November 27, 2001**

For: **IDENTIFICATION SYSTEM AND
METHOD FOR DETERMINING THE
GEOGRAPHIC ORIGIN OF A FRESH
COMMODITY**

Asst. Commissioner for Patents
USPTO, Office of Petitions
Washington, D.C. 20231

Sir:

RECEIVED

MAR 27 2003

Art Unit: 2122

OFFICE OF PETITIONS

RENEWED PETITION UNDER 37 CFR 1.47(b)

Come now the Assignees in the above-identified utility application, and respectfully petition the Asst. Commissioner for Patents to receive the completion of all formal filing requirements, the attached declaration unsigned by inventors Kim A. Anderson, Brian Smith, and Bernadene Magnuson (Attachment "A").

The attached Declaration establishes that inventors Kim A. Anderson, Brian Smith, and Bernadene Magnuson are recognized to be joint inventors of the apparatus and method set forth in the above-identified utility application and that efforts to obtain these inventors' signatures upon the requisite filing documents have met with no success, as also attested by the attached Declaration of the Agent for the Assignees (Attachment "B").

The invention as claimed was made by the co-inventors while employed by the Assignee, Idaho Potato Commission. The invention is a continuation-in-part of issued U.S. Patent No. 6,324,531, which named the same inventors as herein named. Copies of

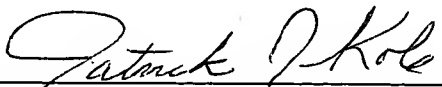
signed Declarations and Assignments for that patent are attached hereto (Attachment "C"), indicating the inventors' declarations of their status as inventors and assigning the rights to the '531 patent and "any improvements on said inventions heretofore or hereafter made, any divisions or continuations of said application," to the Florida Department of Citrus and the Idaho Potato Commission. The "new matter" added to the present application over that which was present in the issued parent U.S. Patent No. 6,324,531 includes newly obtained data that is cumulative of the original invention and thus is not believed to change the inventorship from that of the parent '521 patent.

The joint Assignees of the instant application have proprietary interest in the invention embodied therein. Irreparable harm could result from an inability to continue prosecution of this application in a loss of pendency of the claims in the case.

It is respectfully submitted that these facts, together with the showing in the attached Declaration of the Agent for the Assignees and the enclosed Statements under 37 CFR 3.73(b), make it clear that Assignees have met all of the requirements under 37 CFR 1.47(b).

Wherefore, it is respectfully requested that the Commissioner receive and grant this petition for the purposes of filing this application without the signature of inventors Anderson, Smith, and Magnuson.

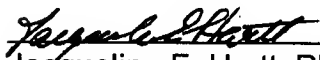
IDAHO POTATO COMMISSION

By: 
Print Name: Patrick J. Koe
Print Title: Vice President, Legal & Gov't

FLORIDA DEPARTMENT OF CITRUS

By: _____
Print Name: _____
Print Title: _____

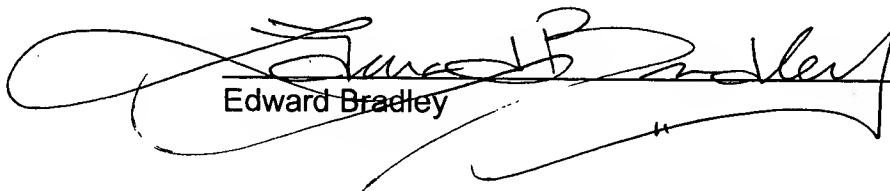
Respectfully submitted,



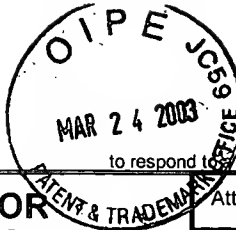
Jacqueline E. Hartt, Ph.D.
Reg. No. 37,845
ALLEN, DYER, DOPPELT, MILBRATH & GILCHRIST, P.A.
255 South Orange Avenue, Suite 1401
P.O. Box 3791
Orlando, Florida 32802
(407) 841-2330
Agent for Applicant

CERTIFICATE OF MAILING

I hereby certify that the foregoing is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner of Patents, Washington D.C. 20231, this 17th day of March, 2003.



Edward Bradley

**DECLARATION FOR
UTILITY OR DESIGN
PATENT APPLICATION
(37 CFR 1.63)**☐ Declaration
Submitted
with Initial
Filing

OR

☒ Declaration
Submitted after Initial
Filing (surcharge
(37 CFR 1.16 (e))
required)

Attorney Docket Number

21652.CIP1

First Named Inventor

Kim A. Anderson

COMPLETE IF KNOWN

Application Number

09/995,257

Filing Date

11/27/2001

Group Art Unit

Examiner Name

RECEIVED

MAR 27 2003

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**IDENTIFICATION SYSTEM AND METHOD FOR DETERMINING THE GEOGRAPHIC ORIGIN OF A
FRESH COMMODITY**

(Title of the Invention)

the specification of which

is attached hereto
ORwas filed on (MM/DD/YYYY) 11/27/2001 as United States Application Number or PCT International Application
Number 09/995,257 and was amended on (MM/DD/YYYY) _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Numbers	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet TPO/SB/02B attached hereto.

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



DECLARATION — Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)
09/210,358	12/11/1998	Pending

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: ☐ Customer Number _____

OR

☒ Registered practitioner(s) name/registration number listed below.

Name	Registration Number	Name	Registration Number
Herbert L. Allen	25,322	Paul J. Ditmyer	40,455
Christopher F. Regan	34,906	Michael W. Taylor	43,182
David S. Sigalow	36,006	John F. Woodson, II	45,236
Richard K. Warther	32,180	Mark R. Malek	46,894
Carl M. Napolitano	37,405	Richard A. Hinson	47,652
Enrique G. Estévez	37,823	Brandy C. Hill	P-51,280
Jacqueline E. Hartt	37,845		

☐ Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.

Direct all correspondence to:	<input type="checkbox"/> Customer Number _____ or Bar Code Label _____	OR <input checked="" type="checkbox"/> Correspondence address below
Name	Jacqueline E. Hartt	
Address	Allen, Dyer, Doppelt, Milbrath & Gilchrist, P.A.	
Address	255 South Orange Avenue, Suite 1401 P.O. Box 3791	
City/State/Zip	Orlando, Florida 32802-3791	
Country	US	Telephone (407) 841-2330 Fax (407) 841-2343

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

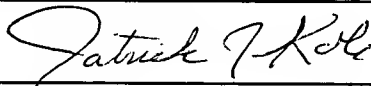
Name of Sole or First Inventor		<input checked="" type="checkbox"/> A petition has been filed for this unsigned inventor.	
Given Name (first and middle — [if any])		Family Name or Surname	
Kim A. Anderson			
Inventor's Signature	Date		
Residence	Corvallis, OR	Country	US
Post Office Address	7555 NW McDonald Circle		
City/State/Zip	Corvallis, OR 97330	Country	US

☐ Additional inventors are being named on the _____ supplemental additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

DECLARATION	ADDITIONAL INVENTOR(S) Supplemental Sheet
--------------------	--

Name of Additional Joint Inventor, if any:		<input checked="" type="checkbox"/> A petition has been filed for this unsigned inventor.	
Given Name (first and middle — [if any])	Family Name or Surname		
Brian Smith			
Inventor's Signature		Date	
Residence	Corvallis, OR	Country	US
Post Office Address	7555 NW McDonald Circle		
City/State/Zip	Corvallis, OR 97330	Country	US

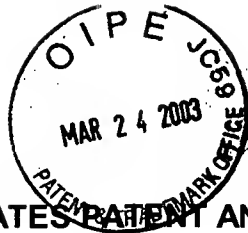
Name of Additional Joint Inventor, if any:		<input checked="" type="checkbox"/> A petition has been filed for this unsigned inventor.	
Given Name (first and middle — [if any])	Family Name or Surname		
Bernadene Magnuson			
Inventor's Signature		Date	
Residence	College Park, MD	Country	US
Post Office Address	c/o University of Maryland, Dept. of Nutrition and Food Science 3304 Marine Mount Hall		
City/State/Zip	College Park, MD 20742-7251	Country	US

Name of Co-Assignee:		<input type="checkbox"/> A petition has been filed for this unsigned inventor.	
Assignee	Title of Officer Signing on behalf of Assignee		
Idaho Potato Commission	Print Title: Vice President, Legal & Gov't		
Assignee's Signature		Date	11/07/02
Residence	Boise, Idaho	Country	US
Post Office Address	P.O. Box 1068		
City/State/Zip	Boise, Idaho 83701	Country	US

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION	ADDITIONAL INVENTOR(S) Supplemental Sheet
--------------------	--

Name of Co-Assignee:		<input type="checkbox"/> A petition has been filed for this unsigned inventor.			
Assignee		Title of Officer Signing on behalf of Assignee			
Florida Department of Citrus		Print Title:			
Assignee's Signature				Date	
Residence	Lakeland, FL	Country	US	Citizenship	US
Post Office Address	P.O. Box 148				
City/State/Zip	Lakeland, FL 32802-0148			Country	US



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

KIM A. ANDERSON ET AL.

Serial No. **09/995,257**

Filing Date: **November 27, 2001**

For: **IDENTIFICATION SYSTEM AND
METHOD FOR DETERMINING THE
GEOGRAPHIC ORIGIN OF A FRESH
COMMODITY**

Art Unit: **2122**

RECEIVED

MAR 27 2003

OFFICE OF PETITIONS

The Hon. Commissioner for Patents
Washington, D.C. 20231

Sir:

DECLARATION AND PETITION UNDER 37 CFR 1.47(b)

I, Jacqueline E. Hartt, do hereby declare and say as follows:

1. I am the agent of record in the above-referenced application and have worked with the assignees, Florida Department of Citrus and Idaho Potato Commission, in the preparation and filing of provisional patent application 60/069,036, utility parent application 09/210,358, now issued U.S. Patent No. 6,324,531, and the above-referenced utility patent application, which claims priority to both the issued '521 patent and the '036 provisional application.

2. Correspondence with named co-inventors Kim A. Anderson, Brian Smith, and Bernadene Magnuson, related to the above-referenced application, began on April 10, 2002, with the sending of the entire application papers, including the Specification and drawings of the instant application and declarations, to all named inventors. Several telephone calls have also been placed to co-inventors Anderson and Magnuson. The application papers and declarations were also re-sent via Federal Express on May 21, 2002, for which copies of the transmittal letter, unsigned declaration, assignment, and shipping label were previously submitted.

ATTACHMENT "B"

3. It is my understanding that the work and development by the co-inventors was within the scope of their employment with the Idaho Potato Commission, Co-Assignee. This is attested to by the enclosed "Renewed Petition under 37 CFR 1.47(b)" signed by the representative of the Idaho Potato Commission, Co-Assignee, Attorney Patrick J. Kole.

4. It has previously been submitted that co-inventors Anderson and Magnuson have expressed via the previously submitted e-mails their unwillingness to sign the transmitted inventor Declarations. No statements of any kind have been received from co-inventor Smith.

5. A Statement under 37 CFR 3.73(b) signed by Attorney Kole is also enclosed.

6. In a telephone conference held today, it was transmitted to the undersigned by Attorney Kole and Attorney Kenneth Keck, General Counsel of the Florida Department of Citrus, that the Florida Department of Citrus will transfer its portion of the rights to this invention to the Idaho Potato Commission. Therefore, no signature has been obtained from a representative of the Florida Department of Citrus. Such an Assignment document will follow these documents presently.

7. I hereby declare that all statements made herein are of my own accord and are true and that all statements are made on available information; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title XVIII of the United States Code, and that any such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: March 17, 2003.

Respectfully submitted,



Jacqueline E. Hartt, Ph.D.

Reg. No. 37,845

Allen, Dyer, Doppelt, Milbrath & Gilchrist, P.A.

255 S. Orange Avenue, Suite 1401

Post Office Box 3791

Orlando, Florida 32802

(407) 841-2330

Agent for Applicant



DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63) <input type="checkbox"/> Declaration Submitted with Initial Filing <input checked="" type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required) OR	Attorney Docket Number	14772.17
	First Named Inventor	Kim A. Anderson
	COMPLETE IF KNOWN	
	Application Number	09/210,358
	Filing Date	12/11/98
	Group Art Unit	
Examiner Name		

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

System and Method for Identifying the Geographic Origin of a Fresh Commodity

(Title of the Invention)

the specification of which

☐ Is attached hereto
OR

☒ was filed on (MM/DD/YYYY) 12/11/98 as United States Application Number or PCT International Application Number 09/210,358 and was amended on (MM/DD/YYYY) _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Numbers	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet TPO/SB/02B attached hereto.
60/069,036	12/12/97	

[Page 1 of 3]

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual cases. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

ATTACHMENT "C"

DECLARATION — Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: ☐ Customer Number _____

☒ Registered practitioner(s) name/registration number listed below.

Name	Registration Number	Name	Registration Number
Herbert L. Allen	25,322	Christopher F. Regan	34,906
Carl M. Napolitano	37,405	Jeffrey S. Whittle	36,382
Jacqueline E. Hartt	37,845	Richard K. Warther	32,180
Enrique G. Estévez	37,823		

☐ Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.

Direct all correspondence to:

☐ Customer Number
or Bar Code Label _____

OR ☒ Correspondence address below

Name Jacqueline E. Hartt, Ph.D.

Address Allen, Dyer, Doppelt, Milbrath & Gilchrist, P.A.

Address 255 South Orange Avenue, Suite 1401
P.O. Box 3791

City/State/Zip Orlando, Florida 32802-3791

Country	U.S.	Telephone	(407) 841-2330	Fax	(407) 841-2343
---------	------	-----------	----------------	-----	----------------

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor

☐ A petition has been filed for this unsigned inventor.

Given Name (first and middle — (if any))

Family Name or Surname

Kim A. Anderson

Inventor's
Signature

Kim A. Anderson

Date
7-22-99

Residence

Troy, Idaho

Country

US

Citizenship

US

Post Office
Address

406 Polly Street

City/State/Zip

Troy, Idaho 83871

Country

US

☒ Additional inventors are being named on the 1 supplemental additional inventor(s) sheet(s) PTO/SB/02A attached hereto.

DECLARATION	ADDITIONAL INVENTOR(S) Supplemental Sheet Page 3 of 3
--------------------	--

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor.	
Given Name (first and middle — [if any])		Family Name or Surname	
Brian Smith			
Inventor's Signature	<i>Brian Smith</i>		Date 4/22/99
Residence	Troy, Idaho	Country	US
Post Office Address	406 Polly Street		
City/State/Zip	Troy, Idaho 83871	Country	US

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor.	
Given Name (first and middle — [if any])		Family Name or Surname	
Bernadene Magnuson			
Inventor's Signature	<i>Bernadene Magnuson</i>		Date 7/24/99
Residence	Moscow, Idaho	Country	US
Post Office Address	116 Flint Street		
City/State/Zip	Moscow, Idaho 83843	Country	US

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



RECORDATION FORM COVER SHEET PATENTS ONLY

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

- (X) New
- () Resubmission (Non-Recordation)
Document ID#
- () Correction of PTO Error
Reel # Frame #
- () Corrective Document
Reel # Frame #

Conveyance Type

- (X) Assignment () Security Agreement
- () License () Change of Name
- () Merger () Other

U.S. Government
(For Use ONLY by U.S. Government Agencies)

() Departmental File () Secret File

Conveying Party(ies)

() Mark if additional names of conveying parties attached

Execution Date
Month Day Year
April 22, 1999

Name (line 1) Kim A. Anderson, Brian Smith,
 and Bernadene Magnuson

Name (line 2) _____

Execution Date
Month Day Year

Second Party

Name (line 1) _____

Name (line 2) _____

Receiving Party

() Mark if additional names of receiving parties attached

() If document to be recorded is
an assignment and the
receiving party is not
domiciled in the United
States, an appointment of a
domestic representative is
attached. (Designation
must be a separate
document from Assignment.)

Name (1) Florida Department of Citrus

Address P.O. Box 148, Lakeland, FL 33802-0148

Name (2) Idaho Potato Commission

Address P.O. Box 1068, Boise, Idaho 83701

Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name _____

Address (line 1) _____

Address (line 2) _____

Address (line 3) _____

Address (line 4) _____

FOR OFFICE USE ONLY

Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

Correspondent Name and Address

Area Code and Telephone Number

407-841-2330

Name

Jacqueline E. Hartt, Ph.D.

Address (line 1)

All n, Dyer, Dopp It, Milbrath & Gilchrist, P.A.

Address (line 2)

255 South Orange Avenue, Suite 1401

Address (line 3)

Post Office Box 3791

Address (line 4)

Orlando, Florida 32802-3791

Pages

Enter the total number of pages of the attached conveyance document including any attachments.

4

Application Number(s) or Patent Number(s)

() Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

Patent Number(s)

09/210,358If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

Month Day Year

Patent Cooperation Treat (PCT)

Enter PCT application number
only if a U.S. Application Number
has not been assigned.

PCT

PCT

PCT

PCT

PCT

PCT

Number of Properties

Enter the total number of properties involved. # 1

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41):

\$ 40.00

Method of Payment:

Enclosed (X)

Deposit Account ()

Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

01-484

Authorization to charge additional fees:

Yes (X)

No ()

Statement and Signature

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.*Jacqueline E. Hartt, Ph.D.Jacqueline E. Hartt

Name of Person Signing

Signature

April 26, 1999

Date

ASSIGNMENT

WHEREAS, KIM A. ANDERSON of 406 Polly Street, Troy, Idaho 83871, BRIAN SMITH of 406 Polly Street, Troy, Idaho 83871, and BERNADENE MAGNUSON of 116 Flint Street, Moscow, Idaho 83843, hereinafter collectively referred to as Assignors, have made certain improvements or inventions in SYSTEM AND METHOD FOR IDENTIFYING THE GEOGRAPHIC ORIGIN OF A FRESH COMMODITY, for which Assignors have executed an application for United States Letters Patent filed on December 11, 1998, in the United States Patent and Trademark Office and given Serial No. 09/210,358; and

WHEREAS, FLORIDA DEPARTMENT OF CITRUS and IDAHO POTATO COMMISSION, hereinafter referred to as Assignees, are desirous of acquiring the same;

NOW THEREFORE, This Indenture Witnesseth: That for good and valuable consideration, receipt whereof is hereby acknowledged, Assignors do hereby assign and transfer to Assignees, their successors and assigns, all right, title and interest in and to said United States Patent application, the invention or inventions therein shown and described and any improvements on said inventions heretofore or hereafter made, any divisions or continuations of said application, and all patents, United States and foreign, to be granted upon any such application or for the invention or inventions thereof, and any reissues, continuations or extensions of said patents, each Assignee to own an undivided one-half interest in the whole; and Assignors do hereby authorize and request the Commissioner of Patents to issue all patents on said United States Patent applications or for the invention or inventions hereof, in accordance with this assignment.

Provided, however, that Assignors retain for themselves a personal and non-assignable royalty-free non-exclusive license to use the inventions disclosed and claimed in the application and any later improvements made by Assignors for the purpose of obtaining funds for grants funding research into the use of the inventions or any such later improvements for determining geographic origin of commodities other than potatoes and citrus fruit ("Other Commodities"). Provided further, in the event that such further research by Assignors for Other Commodities leads to royalty income derived from the licensing of any patents issuing from this application or any later improvements, then Assignors and Assignees shall share any royalty income derived from the licensing for Other Commodities equally.

And Assignors for said consideration hereby covenant and agree that each of the Assignors is the owner of the full title herein conveyed and have the right to convey the same, and agree that Assignors will communicate to Assignees any facts known to Assignors respecting said invention or inventions, and testify in any legal proceedings when called upon by Assignees, sign all lawful papers deemed by Assignees as expedient to vest in it the legal title herein sought to be conveyed or for the filing and prosecution of all applications and patents, United States and foreign, and otherwise aid Assignees, their successors and assigns, in obtaining full patent protection on said invention and enforcing proper protection under said patents, but in every instance at the Assignees' expense.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 22 day
of April, 1999.

Kim A. Anderson
KIM A. ANDERSON

Brian Smith
BRIAN SMITH

Bernadene Magnuson
BERNADENE MAGNUSON

STATE OF IDAHO
COUNTY OF Latah

On this 22 day of April, 1999, before me personally appeared the
above-named KIM A. ANDERSON, to me personally known as the individual who executed
the foregoing assignment, and who acknowledged to me that she executed the same of her
own free will for the purposes therein set forth.

Karl D. Hult
NOTARY PUBLIC
My Commission Expires: 10-21-2002

SEAL

STATE OF IDAHO
COUNTY OF Latah

On this 22 day of April, 1999, before me personally appeared the
above-named BRIAN SMITH, to me personally known as the individual who executed the
foregoing assignment, and who acknowledged to me that he executed the same of his own
free will for the purposes therein set forth.

Karl D. Hult
NOTARY PUBLIC
My Commission Expires: 10-21-2002

SEAL

STATE OF IDAHO
COUNTY OF Latah

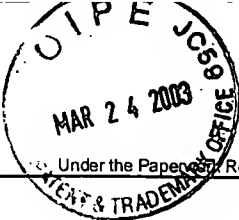
On this 22 day of April, 1999, before me personally appeared the above-named BERNADENE MAGNUSON, to me personally known as the individual who executed the foregoing assignment, and who acknowledged to me that she executed the same of her own free will for the purposes therein set forth.



NOTARY PUBLIC

My Commission Expires: 10-21-2002

SEAL



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STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Kim A. Anderson et al.

Application No./Patent No.: 09/995,257 Filed/Issued Date: 11/27/2001

Entitled: Identification System and Method for Determining the Geographic Origin of a Fresh Commodity

Idaho Potato Commission, a GOVERNMENT AGENCY
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☐ the assignee of the entire right, title, and interest; or
2. ☒ an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is 50 %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel/Frame 9926/0083, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
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The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Patrick J. Kole

Typed or printed name

Patrick J. Kole

Signature

Date 11/07/02

Vice President, Legal & Gov't

Title

RECEIVED

MAR 27 2003

OFFICE OF PETITIONS

RECEIVED

JUL 25 1999

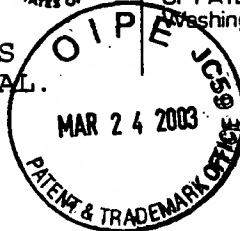
JULY 08, 1999 A.D.D.M. & C.



UNITED STATES DEPARTMENT OF COMMERCE
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OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

PTAS

ALLEN, DYER, DOPPELT, MILBRATH ETAL.
JACQUELINE E. HARTT, PH.D.
255 ORANGE AVENUE, SUITE 1401
POST OFFICE BOX 3791
ORLANDO, FLORIDA 32802-3791



101031268A

UNITED STATES PATENT AND TRADEMARK OFFICE
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RECORDATION DATE: 04/30/1999

REEL/FRAME: 9926/0083
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

ANDERSON, KIM A.

DOC DATE: 04/22/1999

ASSIGNOR:

SMITH, BRIAN

DOC DATE: 04/22/1999

ASSIGNOR:

MAGNUSON, BERNALENE

DOC DATE: 04/22/1999

ASSIGNEE:

FLORIDA DEPARTMENT OF CITRUS
P.O. BOX 148
LAKELAND, FLORIDA 33802-0148

ASSIGNEE:

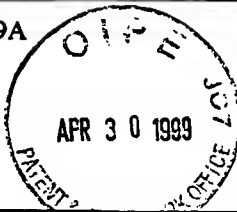
IDAHO POTATO COMMISSION
P.O. BOX 1068
BOISE, IDAHO 83701

9926/0083 PAGE 2

SERIAL NUMBER: 09210358
PATENT NUMBER:

FILING DATE: 12/11/1998
ISSUE DATE:

ANNE HARRELL, PARALEGAL
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS



05-06-1999



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581

Conveying Party(ies)

() Mark if additional names of conveying parties attached

Execution Date
Month Day Year
April 22, 1999

Name (line 1) Kim A. Anderson, Brian Smith,
and Bernadene Magnuson

Name (line 2) _____

Second Party

Name (line 1) _____

Name (line 2) _____

Execution Date
Month Day Year

Receiving Party

() Mark if additional names of receiving parties attached

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Name (1) Florida Department of Citrus

Address P.O. Box 148, Lakeland, FL 33802-0148

Name (2) Idaho Potato Commission

Address P.O. Box 1068, Boise, Idaho 83701

Domestic Representative Name and Address

Enter for the first Receiving Party only.

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Correspondent Name and Address

Area Code and Telephone Number

407-841-2330

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Jacquelin E. Hartt, Ph.D.

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255 South Orange Avenue, Suite 1401

Address (line 3)

Post Office Box 3791

Address (line 4)

Orlando, Florida 32802-3791

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Patent Application Number(s)

Patent Number(s)

09/210,358

If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

Month Day Year

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Enter PCT application number
only if a U.S. Application Number
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Deposit Account ()

Deposit Account

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Deposit Account Number:

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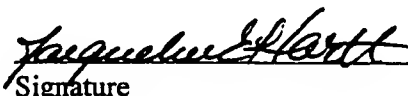
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To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

Jacquelin E. Hartt, Ph.D.

Name of Person Signing



Signature

April 26, 1999

Date

ASSIGNMENT

WHEREAS, KIM A. ANDERSON of 406 Polly Street, Troy, Idaho 83871, BRIAN SMITH of 406 Polly Street, Troy, Idaho 83871, and BERNADENE MAGNUSON of 116 Flint Street, Moscow, Idaho 83843, hereinafter collectively referred to as Assignors, have made certain improvements or inventions in SYSTEM AND METHOD FOR IDENTIFYING THE GEOGRAPHIC ORIGIN OF A FRESH COMMODITY, for which Assignors have executed an application for United States Letters Patent filed on December 11, 1998, in the United States Patent and Trademark Office and given Serial No. 09/210,358; and

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Kim A. Anderson
KIM A. ANDERSON

Brian Smith
BRIAN SMITH

Bernadene Magnuson
BERNADENE MAGNUSON

STATE OF IDAHO
COUNTY OF Latah

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above-named KIM A. ANDERSON, to me personally known as the individual who executed
the foregoing assignment, and who acknowledged to me that she executed the same of her
own free will for the purposes therein set forth.

Kurt D. Whitte
NOTARY PUBLIC
My Commission Expires: 10-21-2002

SEAL

STATE OF IDAHO
COUNTY OF Latah

On this 22 day of April, 1999, before me personally appeared the
above-named BRIAN SMITH, to me personally known as the individual who executed the
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Kurt D. Whitte
NOTARY PUBLIC
My Commission Expires: 10-21-2002

SEAL

STATE OF IDAHO
COUNTY OF Latah

On this 22 day of April, 1999, before me personally appeared the above-named **BERNADENE MAGNUSON**, to me personally known as the individual who executed the foregoing assignment, and who acknowledged to me that she executed the same of her own free will for the purposes therein set forth.

Kath D. Webb
NOTARY PUBLIC
My Commission Expires: 10-21-2002

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